

TOWN OF FALMOUTH
BOARD OF SELECTMEN

AGENDA

MONDAY, MAY 18, 2020 – 6:30 P.M.

SELECTMEN'S MEETING ROOM

TOWN HALL

59 TOWN HALL SQUARE, FALMOUTH, MA 02540

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the May 18, 2020 public meeting of the Falmouth Board of Selectmen shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. *The meeting will be televised via Falmouth Community Television.*
2. *Real-time public comment can be addressed to the Board of Selectmen utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.*
 - a. *Zoom Login instructions:*
 - i. *Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthmass.us/BOS>.*
 - ii. *Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.*
3. *Additionally public comments may be sent in advance of the meeting to selectmen@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.*
4. *Applicants, their representatives and individuals with enforcement matters before the Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Board may contact the Town Manager/Board of Selectmen's Office to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Town Manager's Office at townmanager@falmouthma.gov so they may be displayed for remote public access viewing.*

AGENDA

6:30 p.m. OPEN SESSION

6:30 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – Review and discuss proposed workers' compensation settlement for a town employee

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamations:
 - a. Eagle Scout James R. Lea, Troop 40
 - b. Eagle Scout John W. Warner, Troop 40
4. Recognition
5. Announcements
6. Public Comment

7:15 p.m. SUMMARY OF ACTIONS

1. Administrative Orders
 - a. Vote to permit New Silver Beach Improvement Association to remove seaweed from town parcel 04A 41 000 098 at New Silver Beach in accordance with an Order of Conditions issued by the Conservation Commission
 - b. Vote to authorize and accept Massachusetts Department of Conservation and Recreation (DCR) Challenge Grant in the amount of \$10,000 for Falmouth Tree Health/Risk, Planning and Planting Project
 - c. Vote to accept offer to buy and authorize Town Manager to execute a Purchase and Sale Agreement for the sale of the Lt. Pafford lot in Palm Coast, Florida to benefit the Lt. James M. Pafford Essay Fund of Falmouth High School in accordance with the authority of Art. 52 of the October, 1989 Town Meeting

7:30 p.m. BUSINESS

1. Interview, Vote and Appoint Committee Member:
 - Conservation Commission (Alternate Member) – Pat Harris
2. Discussion/Update on COVID-19 Issues
3. Preliminary Discussion of Governor Baker's Supplemental Order and Report of Governor's Reopening Advisory Board
4. Status/Update on Potential for Modified Restaurant Seating Plans
5. Minutes of Meetings:
 - Public Session – May 4, 2020 and May 11, 2020
6. Individual Selectmen's Reports
7. Town Manager's Report

Megan English Braga, Chairman
Board of Selectmen

Boy Scout Troop 40

Lynn A Briggs
Troop Secretary
26 Comanche Drive
Falmouth, MA 02540

phone: (774) 836-8188
e-mail: lynnbdream2@gmail.com



BOY SCOUTS OF AMERICA

Megan E. English Braga, Chair
Falmouth Board of Selectman
59 Town Hall Square
Falmouth, MA 02540

April 20, 2020

Dear Ms. Braga,

James R. Lea of Boy Scout Troop 40 of Falmouth, Massachusetts, sponsored by Saint Barnabas Memorial Church, has progressed through the ranks of scouting, and has achieved the rank of Eagle Scout. James is a good citizen and a credit to his community and nation.

Here is a statement from James about his Eagle Project and what scouting has done for him:

“As you may be aware part of becoming an Eagle Scout means completing an Eagle Scout project. The guidelines for what this project may be are loose, all it really requires is a meaningful positive community impact, and of course that the eagle scout candidate be the one to lead and direct the project. Often these projects will be things like installing something like a sign, or bridge on a public place or the renovation of a trail. The kind of thing involving a lot of manual labor done over the course of 1-2 afternoons. For mine however I did a pretty atypical project but one that I hope could be a more common type going forward. I made QR codes that were attached to various points on a trail at a local nature reserve. When these codes were scanned by a smartphone, they would redirect the person who scanned them to a recording on YouTube that would give them information on various things on the trail. It was a very 21st century approach to things like disposable information brochures that you may be used to on hiking or nature trails. It was a pilot project for the reserve and depending on the public reception to the idea it could potentially be the new standard for them when it comes to on trail information. Making these QR codes consisted of a lot of planning between various groups of people over the course of about a month to find timing that worked for individuals who all played different roles in the process. I learned valuable skills in coordination and communication as I directed people through the concept, research, scriptwriting, recording, and setting up the QR code phases of the project.”

“It is quite a weird thing to look at Scouts in a reminiscent manner and yet here we are. There are many positive aspects of my character that I attribute scouts with helping me flesh out. Things like leadership, communication, perseverance, and proficiency are all skills that I can say have been bolstered and fleshed out as a result of my involvement in scouting over the years. Beyond nice one-word character traits I can say it is helped me be much more open to new situations as well stepping outside of my comfort zone. But more than any character-building qualities the best thing scouting has done for me will always be the memories. There were plenty of moments in scouts when I found myself confused why I was doing what I was doing on rainy campouts and strenuous hikes, only to look back on these moments with nothing but fondness. From the days overlooking the lake to the feeling of reaching a mountain’s summit the happiness of the memories alone is what is truly been the best parts of scouting for me. I have been doing scouts for the better part of a decade now, the character qualities and memories it is given me have left a positive and permanent impact on me.”

Please consider presenting a commendation from the town recognizing this fine individual, to be read at a Summer Eagle Court of Honor (date TBD) at St. Barnabas Hall in Falmouth, MA. He wishes to extend an invitation to attend to you as well as your colleagues, Doug C. Brown, Doug H. Jones, Susan L. Moran, and Samuel H. Patterson.

Thank you,
Lynn A Briggs, Troop 40, Boy Scouts of America



PROCLAMATION

WHEREAS: James R. Lea of Boy Scout Troop 40 has successfully completed qualifications for the rank of Eagle Scout, a rigorous and demanding process that teaches patience, perseverance and teamwork, and requires strong goal setting; and

WHEREAS: James R. Lea met these challenges with aplomb and shall be recognized as an outstanding representative of his family, his troop and his community; and

WHEREAS: The Boy Scouts of America, long acknowledged for building fine citizens, calls for Special Court of Honor to award its highest symbol of achievement to those who complete this rank; and

WHEREAS: James R. Lea is now an Eagle Scout with all its rank and privilege;

NOW, THEREFORE, We, Megan English Braga, Douglas C. Brown, Douglas H. Jones, Susan L. Moran, and Samuel H. Patterson as Selectmen of the Town of Falmouth, do hereby declare and PROCLAIM

JAMES R. LEA AS EAGLE SCOUT

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 18th day of May, 2020.

Megan English Braga, Chair

Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones

BOARD OF SELECTMEN



Boy Scout Troop 40

Lynn A Briggs
Troop Secretary
26 Comanche Drive
Falmouth, MA 02540

phone: (774) 836-8188
e-mail: lynnbdream2@gmail.com



BOY SCOUTS OF AMERICA

April 20, 2020

Megan E. English Braga, Chair
Falmouth Board of Selectman
59 Town Hall Square
Falmouth, MA 02540

Dear Ms. Braga,

John W. Warner of Boy Scout Troop 40 of Falmouth, Massachusetts, sponsored by Saint Barnabas Memorial Church, has progressed through the ranks of scouting, and has achieved the rank of Eagle Scout. John is a good citizen and a credit to his community and nation.

Here is a statement from John about his Eagle Project and what scouting has done for him:

“This project was designed to clean up and provide restoration of rainwater gardens at the Waquoit Bay National Estuarine Research Reserve. The gardens are filled with native pollinator plants. These beds are filled with milkweed which supports the threatened Monarch population and many other flowers that attract bees. The entire garden is watered through a system of pipes that stem from the roof of the summer camp facility and leads into the garden. Over the Winter the pipes broke and were excavated and fixed. The project also entailed the installation of a rain barrel. This barrel was required to be mounted on a stand to elevate it off the ground. It will be used so that the children coming back from the beach can wash the sand off their shoes with repurposed water. The gardens were also cleaned of dead plant material, and weed fabric was then placed and cut. Also, where specified, mulch will be spread and placed in an even layer. Gravel will be placed at problem erosion locations to redirect water flow evenly back into the flower bed areas.”

“To me, Scouting has always embodied a sense of community. My time spent in scouts laid the foundation for the man I have become today. Those around me instilled the proper values and beliefs, serving as a second family of sorts. I owe lifelong friendships and truly once in a lifetime of opportunities to my involvement with Troop 40. Our numerous hikes through the white mountains and the strenuous Philmont trek brought me closer to my fellow scouts than I could have ever expected. I attribute all my outdoor capabilities to Scouting, abilities that I am confident in and enjoy using on my own adventures. Scouting to me means family, not one that is given, rather one that is chosen. I am eternally grateful for my experiences as they have changed my life.”

Please consider presenting a commendation from the town recognizing this fine individual, to be read at a Summer Eagle Court of Honor (date to be determined) at St. Barnabas Hall in Falmouth, Massachusetts. He wishes to extend an invitation to attend the ceremony to you as well as your colleagues, Doug C. Brown, Doug H. Jones, Susan L. Moran, and Samuel H. Patterson.

Thank you,

Lynn A Briggs, Troop 40, Boy Scouts of America



PROCLAMATION

WHEREAS: John W. Warner of Boy Scout Troop 40 has successfully completed qualifications for the rank of Eagle Scout, a rigorous and demanding process that teaches patience, perseverance and teamwork, and requires strong goal setting; and

WHEREAS: John W. Warner met these challenges with aplomb and shall be recognized as an outstanding representative of his family, his troop and his community; and

WHEREAS: The Boy Scouts of America, long acknowledged for building fine citizens, calls for Special Court of Honor to award its highest symbol of achievement to those who complete this rank; and

WHEREAS: John W. Warner is now an Eagle Scout with all its rank and privilege;

NOW, THEREFORE, We, Megan English Braga, Douglas C. Brown, Douglas H. Jones, Susan L. Moran, and Samuel H. Patterson as Selectmen of the Town of Falmouth, do hereby declare and PROCLAIM

JOHN W. WARNER AS EAGLE SCOUT

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 18th day of May, 2020.

Megan English Braga, Chair

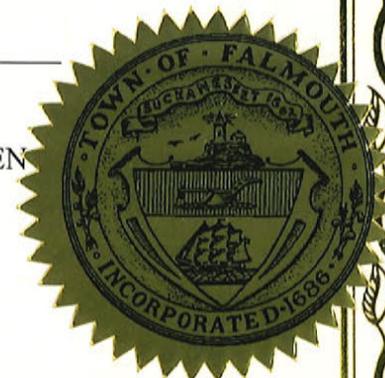
Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones

BOARD OF SELECTMEN



Diane Davidson

From: New Silver Beach <newsilverbeach@gmail.com>
Sent: Monday, May 11, 2020 1:26 PM
To: Falmouth Town Manager
Subject: New Silver seaweed removal permitting
Attachments: Town of Falmouth Permission.pages

Town of Falmouth
Town Manager, Julian Suso
59 Town Hall Square
Falmouth, MA 02540

Dear Mr Suso,

I am writing to you on behalf of the Silver Beach Improvement Association. These are uncertain times; nonetheless, the Board is planning for the upcoming Summer.

This Winter, the Board of Directors approved a motion for our Association to continue the removal of seaweed along our beach. We hired Falmouth Engineering to study the process and prepare a Notice of Intent, which needs to be approved by the Town Conservation Commission. One of the requirements of the Town process is permission from adjacent residents. Your parcel of land included in our scope are parcels 04A 41 000 098.

The scope of work will include raking and light re-grading of the sand along with removal of seaweed and trash. The Conservation Commission will specify the extent of beach maintenance, detailed within the Order of Conditions that accompanies the permit. Beach maintenance will be from the Falmouth owned land at the "fishing jetty" to the Falmouth owned land at the Ocean View Ave. beach entrance; as well, the Silver Beach Ave entrance and the Association owned land in front of the Horan property.

We encourage your continued support in our effort to maintain this wonderful asset and ask you to sign and return by email or by mailing the attached letter by May 24, 2020.

Please note we will follow state and local orders or recommendations related to the pandemic to ensure the safety of our members, and the entire community. If you have any questions, please reach out to me by phone at: [REDACTED] or email: newsilverbeach@gmail.com.

Respectfully,

Dave O'Keefe
ex officio President

Silver Beach Improvement Association



Town of Falmouth

Department of Public Works

Parks & Forestry Division
416 Gifford Street
Falmouth, MA 02350

Jeremiah Pearson
Parks Superintendent

Telephone: (508) 457-2543
Fax: (508) 548-1537

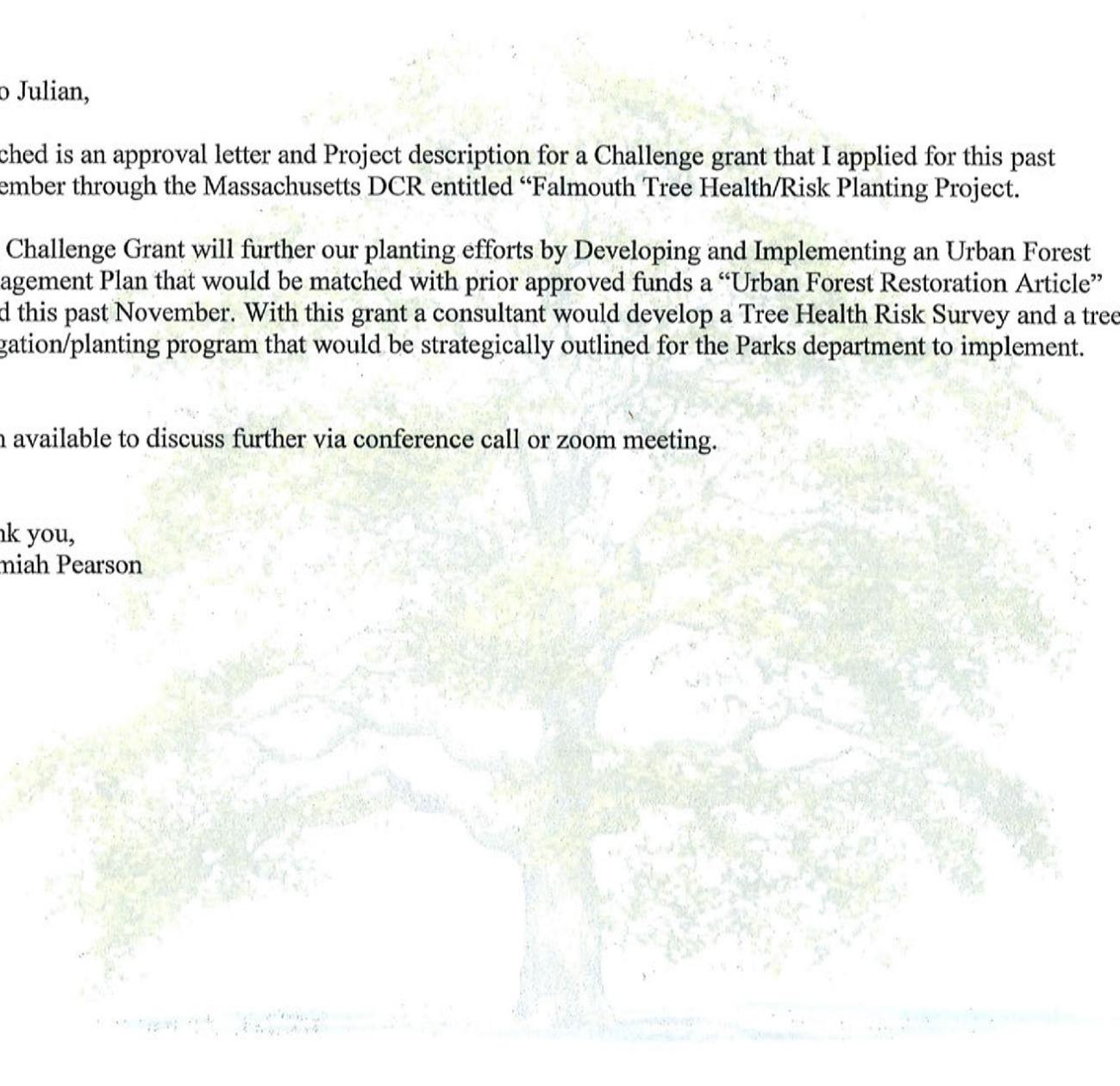
Hello Julian,

Attached is an approval letter and Project description for a Challenge grant that I applied for this past November through the Massachusetts DCR entitled "Falmouth Tree Health/Risk Planting Project."

This Challenge Grant will further our planting efforts by Developing and Implementing an Urban Forest Management Plan that would be matched with prior approved funds a "Urban Forest Restoration Article" voted this past November. With this grant a consultant would develop a Tree Health Risk Survey and a tree mitigation/planting program that would be strategically outlined for the Parks department to implement.

I am available to discuss further via conference call or zoom meeting.

Thank you,
Jeremiah Pearson





April 10, 2020

Jeremiah Pearson
Tree Warden & Parks Superintendent,
416 Gifford Street
Falmouth, MA 02540

Dear Mr. Pearson,

On behalf of Governor Charles Baker and Energy and Environmental Affairs Secretary Kathleen Theoharides, I am pleased to announce that the Department of Conservation and Recreation (DCR) has selected your project entitled, "Falmouth Tree Health/Risk, Planning and Planting Project" for a Massachusetts DCR Urban and Community Forestry Challenge Grant. Your project has been approved for the amount of \$10,000.

The DCR received twenty applications totaling \$264,823 in grant requests. Using funds from the USDA Forest Service, the Mass ReLeaf Trust Fund, and from Massachusetts Clean Energy, the DCR is able to award grant funds to seventeen of the applicants in this round of grants. These projects include strategic tree planting and preservation in communities, engaging and building citizen advocacy and stewardship in the community, revitalizing collaborative, community based inventory and management plans of the urban forest, and establishing and strengthening community wood banks. These are all important goals of DCR's Urban and Community Forestry Program, as we remain committed to assisting our local community partners in managing our shared forest resources.

I would like to extend my congratulations and best wishes for a successful project. Should you require any additional information or assistance, please contact Julie Coop, (617) 626-1468 or Julie.Coop@mass.gov. We look forward to working with you.

Sincerely,



Jim Montgomery
Commissioner



COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May 2004



CONTRACTOR LEGAL NAME :

CONTRACTOR VENDOR/CUSTOMER CODE:

INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
JULIAN M SUSO	TOWN MANAGER
PETER MCCONARTY	PUBLIC WORKS DIRECTOR
SEREMIAH PEARSON	PARKS SUPERINTENDENT
SAMUEL M CLOUGHLIN	TOWN ENGINEER

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Signature

Date:

Title: Town Manager

Telephone: 508-495-7326

Fax: 508-457-2573

Email: townmanager@falmouthma.gov

APPROVED AS TO
FORM:
Green Twp. T.C.

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

**COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING**

Issued May 2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

PROOF OF AUTHENTICATION OF SIGNATURE

**This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.**

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type):

Title:

X _____

Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, _____ (NOTARY) as a notary public certify that I witnessed
the signature of the aforementioned signatory above and I verified the individual's identity on this date:

_____, 20 ____.

My commission expires on:

AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the
signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's
authority as an authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions](#), [Contractor Certifications](#) and [Commonwealth Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: The Town of Falmouth (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: Dept. of Conservation & Recreation MMARS Department Code: DCR	
Legal Address: (W-9, W-4): 416 Gifford Street Falmouth, MA 02540		Business Mailing Address: 251 Causeway Street Boston, MA 02114	
Contract Manager: Jeremiah Pearson	Phone: 508-457-2543	Billing Address (if different):	
E-Mail: jeremiah.pearson@falmouthma.gov	Fax:	Contract Manager: Julie Coop	Phone: 617-626-1468
Contractor Vendor Code: VC 6000191790		E-Mail: Julie.Coop@mass.gov	Fax:
Vendor Code Address ID (e.g. "AD001"): AD__ (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s):	
		RFR/Procurement or Other ID Number: GRANT	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form , scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <i>Prior</i> to Amendment: ____, 20__. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00 . <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or <i>new total</i> if Contract is being amended). \$ <u>10,000.00</u>			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: ___agree to standard 45 day cycle <input checked="" type="checkbox"/> statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Urban and Community Forestry Challenge Grant awarded to the Contractor to conduct work as outlined and related to an approved grant titled "Falmouth Tree Health/Risk, Planning and Planting Project". All documentation is on file with the DCR Urban and Community Forestry Program.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 2. may be incurred as of ____, 20__, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 3. were incurred as of ____, 20__, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>12/31, 20 21</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07 , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: _____, Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: _____ Print Title: _____		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____, Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: _____ Print Title: _____	

Approved as to form:
Frank K. Daffos, Jr.

Massachusetts DCR Urban and Community Forestry Challenge Grant Application

department of
Conservation and Recreation



Challenge Grant Application Instructions and Checklist

Please read carefully and submit all of the following items with your final grant application. Please be sure you are using the most recent grant application, dated 1/2019. If you do not submit all of the items, it may reflect poorly on your application. It is not necessary to submit your application using binders, sheet protectors report covers, or spiral binding. Applications will be evaluated on the criteria on page 7.

FACE SHEET

- Completed **Grant Application Face Sheet** (page 15 of this packet). Project summary must be completed on this form; do not write "see attached.") Please be sure Face Sheet is typewritten.
- The face sheet must be signed with an original signature by an authorized person.

NARRATIVE (3-5 pages)

- Background:** Provide a brief background of your community program or nonprofit organization, including mission and goals for the next several years (1 page maximum).
- Project Description:** Include what you expect to be developed, produced, performed, and/or implemented; how you will achieve your results; and a clear and measurable work plan for the project (2-3 pages).
- Who:** Who will lead the project? Who will be involved? For tree planting, tree care, and inventory projects a certified arborist and/or qualified tree warden should be involved. Please specifically describe how your project proposal incorporates diverse members of the community in its planning and implementation.
- Sustainability:** These grants are not intended to provide ongoing funding. Describe how your project and its results will be maintained and sustained into the future. How will trees be maintained? How will new positions be sustained? How will plans be updated and implemented?
- Evaluation and Accomplishments:** Describe how you will evaluate the success of your project. Provide a list of measurable accomplishments and/or final products that will result from completion of the project and which will be submitted with the Accomplishment Report.

DETAILED BUDGET

- A **detailed budget** showing the estimated costs, specific use of funds, and sources of matching funds. Please indicate the sources of matching funds and whether they are 'in-hand' or pending. Matching funds and volunteer time must be specific to the project and occur within the grant period.
 - Please address in this detailed budget attachment:
 - 1) What components of the project DCR is requested to fund
 - 2) What component of the project matching sources will fund
 - 3) Specifically, what the funds will be spent on.

A sample budget is available at: <http://www.mass.gov/eea/agencies/dcr/conservation/forestry-and-fire-control/urban-and-community-forestry-challenge-grants.html>. (Scroll down to "Sample Detailed Budget.")

(Continued next page)

Challenge Grant Application Instructions and Checklist (Continued)

PROJECT TIMELINE

- A **project timeline** showing anticipated dates of accomplishment of specific project tasks. A sample timeline is available at: <http://www.mass.gov/eea/agencies/dcr/conservation/forestry-and-fire-control/urban-and-community-forestry-challenge-grants.html>. (Scroll down to "Schedule and Timeline.")

LETTERS OF SUPPORT

- Letters of commitment** from key cooperators and supporters that indicate *specific contributions* to the proposed project.
- Letter of support from the Tree Warden** indicating the Tree Warden's involvement in the project.

ADDITIONAL REQUIREMENTS FOR STRATEGIC TREE PLANTING, HERITAGE TREE CARE, TREE INVENTORY, AND WOOD BANK PROJECTS

If your proposal includes **strategic tree planting, heritage tree care, tree inventory, and/or a wood bank**, please submit the additional information requested below.

- Additional Requirements for Strategic Tree Plantings:** Remember these grants may not be used for capital improvements other than strategic tree planting. Please include the following:
 - A list of specific locations, species, and sizes of trees to be planted.
 - A map of specific locations, species, and sizes of trees to be planted.
 - A maintenance plan for the three years following planting.
- Additional Requirements for Heritage Tree Care Projects:**
 - If your project includes Heritage Trees, please include documentation of the cultural and/or historical significance of the tree(s).
 - A maintenance plan for the three years following the heritage tree care work.
- Additional Requirements for Tree Inventory Projects**
 - Please complete the Tree Inventory Worksheet (pages 10 and 11 of this packet).
- Additional Requirements for Community Wood Bank Grants**
 - Please complete the Community Wood Bank Worksheet (pages 12 and 13 of this packet).

GRANT SUBMITTAL:

- Mail or deliver **one original** and **two copies** to:
Julie Coop
DCR Urban and Community Forestry Program
251 Causeway St., Suite 600
Boston, MA 02114
- Postmarked on or before November 1

Your application will be rated competitively against other applicants. It is critical that you review the rating criteria and include everything requested in this checklist in a clear and legible format.

Massachusetts DCR Urban and Community Forestry Challenge Grant Application Face Sheet

****Application Deadline: Post-marked on or before November 1****

Environmental Justice

Contact Person: Jeremiah Pearson
Tree Warden & Parks Superintendent

Applicant (Entity Name):
(*First-time applicant*)

Trees, Parks, Forestry & School Grounds

Phone: 508-457-2543

Mailing Address:

416 Gifford Street
Falmouth, MA 02540

Email:jeremiah.pearson@falmouthma.gov

Short Project Title: (Seven words or less) Falmouth Tree Health/Risk, Planning and Planting Project

Project Summary: **In the following space**, briefly describe the project, including what you expect to be developed, produced, performed, and/or implemented. The project must relate to urban and community forestry:

BACKGROUND: Falmouth, Massachusetts is a municipality of 31,531 residents with a population density of 715 per square mile. There are 218 miles of roadways in which the Tree Warden has MGL CH 87 responsibilities. The Town of Falmouth, Department of Public Works, Trees, Parks, Forestry & School Grounds currently has a staff under the direction of the Superintendent who is also the Tree Warden which is responsible for management of the Urban Forest throughout the Town of Falmouth. The DPW Trees, Parks, Forestry and School Grounds Department is primarily responsible for most of the municipally owned grounds, open spaces, public shade trees, and town owned cemeteries. Other responsibilities include athletic field maintenance and construction, flower bed maintenance, irrigation systems, playgrounds, Shining Sea Bikeway vegetation management, Goodwill Park, and insect/pest control. Falmouth has been a Tree City USA in good standing for twenty years.

PROJECT DESCRIPTION: The Tree Warden realized that to continue these services in the most cost effective and efficient manner, he needed a planned approach. This planned approach will need several components for the proper work flow which will result in the planting of the “Right Tree in the Right Place”. These components include a Tree Health/Risk Survey identifying at risk trees for maintenance and removal, a maintenance and removal plan and a tree planting location plan identifying desirable planting locations. All of this will culminate with municipal tree protection planning, appropriate tree and tree component parts that threaten the public and the overhead electric utilities being removed and followed up by proper tree selection and location plantings being conducted in an efficient and cost effective manner. The Tree Warden desires to have a volunteer group such as Americorp conduct the Tree Health/Risk Survey under the direction of an arboricultural Consultant who will develop the follow up report and plan.

Eversource will be a major beneficiary of this Falmouth Tree Health/Risk, Planning and Planting Project and that is why this Urban and Community Forestry Eversource Partnership Challenge Grant is being requested.

The Falmouth Tree Health/Risk Survey Plan will identify which trees on a priority base need to be removed or require maintenance for public and overhead utility safety. The Tree Planting Plan will identify, on a priority basis, the highest need location for tree plantings.

It will be through this grant opportunity that the existing municipal tree canopy will be maintained in a planned healthy approach while identifying locations where new plantings will thrive under a “Right Tree in the Right Place” approach.

This grant project encompasses the grant key areas of excellent urban and community forestry areas which are; Developing and Implementing an Urban Forestry Management Plan which will result in Completing Strategic Community Tree Plantings.

Developing and Implementing an Urban Forestry Management Plan: The Tree Health/Risk Survey and the Tree Planting Plan are tools that will be utilized in the development of an urban forestry management plan. The initial plan will be an action plan that will establish where tree health mitigation actions need to take place of a prioritized stress level approach to remediate tree conditions involving dead trees and trees with a high potential of tree component failure(s).

Completing Strategic Community Tree Plantings: The Tree Health Survey coupled with the Tree Planting Survey will lead to the identification of a prioritized tree planting program based on a “right tree in the right place” approach. The Tree Planting Survey will be developed identifying tree planting locations based on a priority basis and will result in supplying that component of the urban forestry management plan to prioritize the tree plantings.

As you will see in the attached Budget and Timeline, the grant does require a match of 25% and a match greater than 25% will be required to accomplish the final goal of effective and efficient “Right Tree in the Right Place” tree plantings with a sustainable maintenance approach.

Please list any project partners:

Grant Request (\$) +	Match (\$) +	Volunteer Value (\$) =	Total Project Cost
\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 40,000.00

Please attach a more detailed budget indicating sources of match, details of expenses, etc.

This application has the support of the entity that is applying.

Signature of Authorized Agent

Date

Jeremiah Pearson, Superintendent
Printed Name and Title

Approved to form: Frank J. Jeff T.C.

Mail to: Julie Coop, DCR Urban Forestry Program, 251 Causeway St., Suite 600, Boston, MA 02114

Expense and Match Documentation Form for DCR Urban and Community Forestry Challenge Grant



Instructions: Number each receipt or invoice and attach copies as well as proof of payment such as a cancelled check, pay stubs, etc. Duplicate this form/add rows as needed. **This form, along with supporting documentation, must accompany reimbursement request form.**

Expenses to be Reimbursed by Grant				
Item #	Date	Paid To	Items/Services Purchased	Cost
1		Consultant	Tree Health Survey Report and Plan	4,000.00
2		Consultant	Tree Planting Plan	6,000.00
			TOTAL	10,00.00
Cash Match Description				
Item #	Date	Paid To	Description of items or services including time, rate, etc.	Cost
1		Consultant	Training and Oversight of Volunteers for Survey & Tree Planting	10,000.00
			TOTAL	10,000.00
In-Kind Match Description				
Item #	Date	Provider/Vendor	Description of items or services including time, rate, volunteer hours, etc.	Cost
1		Americorp	Volunteer Tree Health/Risk Surveyors	\$ 20,000.00
2				\$
3				\$
4				\$
5				\$
			TOTAL	\$ 20,000.00

Schedule/Timeline

This form, at minimum, should include the key or milestone activities of the project. These activities should also be addressed in the budget, including both paid and volunteer activities.

What will be done?	Who will do it?	When will it be started and completed	Evaluation / Documentation
Falmouth Tree Health Survey Report Management Plan	Consultant	Grant approval Completion within 200 days of grant approval.	A Tree Health/Risk Survey Report mitigation plan & Management Plan
Falmouth Tree Planting Report & Planting Plan	Consultant	Grant approval Completion within 200 days of grant approval.	A Tree Planting Survey Report & Planting Plan

Massachusetts DCR Urban and Community Forestry Challenge Grant Application

department of
Conservation and Recreation



Tree Inventory Worksheet

Please complete this worksheet if your grant application includes a tree inventory component.

1. Please list any assessments, inventories, or management plans done in past 15 years (brief description & dates):

No official Tree Health/Risk Survey has been conducted.

2. Will 100% of the grant request be used to fund a tree inventory? If not, what percentage of the request will fund the inventory and what will the balance of the request fund?

Yes, it will pay for the consultant to do the Tree Health/Risk Survey/Report and the Tree Planting Survey and Report.

3. What are your community's objectives for an inventory?

Identify, prioritize and plan the implementation of a tree risk program for the remediation of risk trees and implement an effective "Right Tree in the Right Place" Tree Planting Program.

4. What is the estimated number of public trees that will be inventoried? Unknown, all public trees that need risk remediation.
 - Square miles in community (for partial inventories- in the area to be inventoried): 54.4
 - Miles of public roads in community (for partial inventories- in the area to be inventoried): 218
 - If your inventory is a sample inventory or partial inventory, what percentage of public trees and/or street miles will be inventoried? _____
 - Please indicate the kinds of trees your inventory will include:

- Public Street Trees
- Public Park Trees
- Public School Trees
- Town Forests
- Private Trees

____ Other (Please explain)

(Worksheet continues on next page)

Massachusetts DCR Urban and Community Forestry Challenge Grant Application Tree Inventory Worksheet – Page 2

5. Type of Inventory Method?

Sample Plot Method (list %)

Windshield Survey

Complete Tree Inventory

Assess a Special Problem

(list): _____

Assessment using aerial imagery

Other: Assessment utilizing a Windshield Survey and Individual Tree Surveys. Also, the Tree Planting survey will utilize Google Earth Review and analysis.

6. What data fields will be collected?

GPS locations, nearest mile marker, tree species, DBH, Height, Public or Private Tree, Overhead utilities, Insect or Disease Problem, Tree Stress Level, Defective Part, Mitigation Recommendation, Priority and Notes.

7. Once completed, who will manage and maintain the inventory?

Falmouth Tree Warden

6. What systems will be in place to insure quality control over the data collected?

Follow up tree work by Falmouth Tree Crew and Eversource.

7. Will a certified arborist oversee the inventory? If known, please provide their name.

Falmouth Tree Warden

8. Will the inventory result in a management plan as part of this grant? If not, will a management plan result at a future date and if so, when?

A remediation management plan and a tree planting location plan will be included as part of the survey.

9. What will the final inventory product be? (e.g., electronic spreadsheet, database, GIS, proprietary management system, data will be integrated into existing work order system, etc.)

A written report/management plan and an Excel database Workbook

10. How will results of the inventory be shared?

The Falmouth Tree Warden will share the results with interested parties.

Diane Davidson

From: Frank Duffy
Sent: Wednesday, May 13, 2020 3:24 PM
To: Julian Suso; Peter Johnson-Staub; Patty O'Connell; Jennifer Mullen; Irie Mullin
Cc: Diane Davidson
Subject: FW: City of Palm Coast real estate
Attachments: Boulder Rock contract.pdf

Julian: We have an offer to buy the Pafford lot in Palm Coast, Florida. The price is \$18,000 which is in the expected range. To get this sale underway the Board of Selectmen must vote to accept the offer and authorize the Town Manager to execute the Purchase and Sale Agreement. We have been trying to sell this land since the late 1980s with no success. The late James M. Pafford owned the lot. Upon his death he left it to the Town of Falmouth for the Lt. James M. Pafford, Jr. Essay Fund at Falmouth High School. Lt. Pafford died in the Korean War. The BOS has jurisdiction over the property. The proceeds will be turned over to the Town Treasurer for the benefit of the essay fund.

Suggested agenda item: Vote to accept offer to buy and authorize Town Manager to execute a Purchase and Sale Agreement for the sale of the Lt. Pafford lot in Palm Coast, Florida to benefit the Lt. James M. Pafford Essay Fund of Falmouth High School in accordance with the authority of Art. 52 of the October, 1989 Town Meeting.

I will be able to participate in the BOS meeting and explain the very unusual circumstances of this matter. Town meeting authorized the sale in 1989 and the town meeting vote remains in force and effect. There are some title issues, but I will work on them.

Frank K. Duffy, Town Counsel
Town of Falmouth
157 Locust Street
Falmouth, MA 02540
(508) 548-8800 fax (508) 540-0881

CONFIDENTIALITY NOTICE: This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney-client privilege as to this communication or otherwise. If you are not the intended recipient and have received this communication in error, please contact the sender immediately and delete the original message. Thank you.

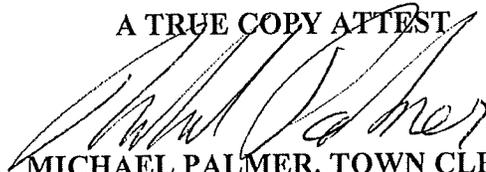
**ARTICLE 52
AND THE VOTE THEREON AT
THE SPECIAL TOWN MEETING
HELD IN FALMOUTH, MASSACHUSETTS
OCTOBER 24, 1989**

ART: 52 To see if the Town will vote to authorize the Board of Selectmen to sell the Town's interest in real estate located in Palm Coast, Flagler County, State of Florida, and belonging to the LIEUTENANT JAMES M. PAFFORD, JR. ESSAY FUND of Falmouth, Massachusetts, upon such terms and conditions as the Board of Selectmen deems best and which property is described as follows:

Lot 39 of Block 2 of Palm Coast, Map of Belle Terre, Section 17, according to the plat thereof as recorded in Map Book 7, at Page 13, of the public records of Flagler County, Florida. Or do or take any other action in this matter. On request of the Board of Selectmen.

VOTED: Article 52 as requested passed on Tuesday October 24, 1989, a unanimous vote, a quorum being present.

A TRUE COPY ATTEST


**MICHAEL PALMER, TOWN CLERK
FALMOUTH, MASSACHUSETTS**

Conservation Commission

1 vacancy (alternate member)

- Unexpired term until 6/30/22 (due to the resignation of Susan Warren on 11/17/19)

1 applicant:

- Patricia Harris



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION APPLICATION FORM

If you are interested in serving the Town of Falmouth in any capacity, please fill out this form and mail it to: The Board of Selectmen, Falmouth Town Hall, 59 Town Hall Square, Falmouth, MA 02540. Information received will be available to all Town Boards and Officials, although the filling out of this form does not assure appointment. If selected for an interview, you may wish to submit a resume or additional information. This form and a listing of all boards and committees can be found on the Falmouth website: www.falmouthmass.us.

Name: Pat Harris

Address: 181 Percival Rd Village: Teaticket ZIP: 02536

Mailing Address: same Village: ZIP:

Home Telephone: [redacted] Email: [redacted]

How long have you been a Resident 11 yrs (date: 9/08) / Taxpayer 10 yrs (date: 2/09)

Amount of time you are available to give: As much as required to properly perform duties.

Town Committee, Board or Commission you are interested in serving on:

- 1. Conservation Commission
2.
3.

Seeking: Permanent Position [checked] or Alternate Position [checked]

Relevant affiliation & work & personal experiences I served as Falmouth Associate Town Counsel for 10.5 yrs, representing the Commission in various forums. I have an appreciation for the hard work and dedication required to serve on the Commission.

Town offices held in Falmouth or elsewhere and dates of years served: Associate Town Counsel, Falmouth 2008-2019 Assistant City Solicitor, Waltham, MA 1989-2005

Briefly describe the particular skills you feel you will add to the committee or board: I have been licensed to practice law in Mass since 1982. I have 26 years municipal experience, serving more than 10 years as legal counsel for the Town of Falmouth. I have a working knowledge of relevant case law, and statutory and regulatory laws.

Three (3) References:	Name	Title	Phone
1.	Frank Daffy	Town Counsel	508.548.8800
2.	Jennifer Lincoln	Con. Comm Administrator	508.495.7445
3.	Jessica Whritenour	Exec. Dir. The Three Hundred Committee Land Trust	[REDACTED]

I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

I have received a copy of the Board of Selectmen's Appointment Policy and read the material provided.

2/14/20
DATE

Peter Harris
APPLICANT'S SIGNATURE

In the event the applicant cannot sign this statement, you should provide an explanation of the reason (s) why if you still wish consideration for appointment.

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
Open Session
MONDAY, MAY 4, 2020
SELECTMEN'S MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the May 4, 2020 public meeting of the Falmouth Board of Selectmen shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. *The meeting will be televised via Falmouth Community Television.*
2. *Real-time public comment can be addressed to the Board of Selectmen utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.*
 - a. *Zoom Login instructions:*
 - i. *Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthmass.us/BOS>.*
 - ii. *Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.*
3. *Additionally public comments may be sent in advance of the meeting to selectmen@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.*
4. *Applicants, their representatives and individuals with enforcement matters before the Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Board may contact the Town Manager/Board of Selectmen's Office to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Town Manager's Office at townmanager@falmouthma.gov so they may be displayed for remote public access viewing.*

Present: Megan English Braga, Chair; Doug Brown, Vice Chair; Doug Jones; Susan Moran; Sam Patterson.

Others present Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Attorney Frank Duffy, Town Counsel.

1. Call to Order at 7:09 p.m. by Chair English Braga.
2. Pledge of Allegiance
3. Recognition

Mr. Brown recognized the innovation of the Falmouth Road Race organizers for the virtual road race this year.

4. Announcements

Mr. Brown announced the White Ribbon Day video conference chat to spread word about domestic violence issues in Town.

On behalf of Michael Palmer, Town Clerk, Mr. Johnson-Staub announced that early voting is being urged by Town Clerk for people to mail in application for an early voting ballot. If someone wants to vote in both the State Special Election and Town Application, that needs to be specified on the form submitted to Town. On election day the Town Clerk works with Mr. Suso and Scott McGann to put in place as many protections as possible for the public and pole workers. Wear a mask, 6 people in to vote at a time. Encouraged to bring your own black or blue pen. Early ballots need to be returned to clerk 2-3 days before election day.

Chair English Braga noted that the Clerk is encouraging people to vote early via mail, call them, drop the request off, no reason why folks cannot request an early ballot. No need to choose between their health and voting. Reminder that the Governor's mandate goes into effect next week, it will be required.

5. Public Comment

Mr. Johnson-Staub noted no advance public comment has been received. If people want to make comment now, use the chat function and enter comments now and they will be read into the record.

Mr. Brown noted that they have received supportive emails of the EDIC Recovery Loan Program.

BUSINESS

1. Discussion and Vote on Proposed EDIC Recovery Loan Program

Continuance from last week's BOS meeting.

EDIC presentation, then hear from Town staff, then conversation with EDIC members and small business owners.

Mike Galasso made a PowerPoint presentation made at the last BOS meeting.

The EDIC has participated in 3 lending projects before including Cape Cod Symphony paid in full \$22,500, Historic Highfield \$27,500 paid in full, and SBA Lending Program Coastal Community Capital \$100,000, about \$36,000 balance remaining.

The EDIC asked the BOS to consider modifying the intergovernmental agreement to change amount of rent to \$10 per year the EDIC shall pay to the Town for EDIC's lease of the landfill solar array phase 1 and 2.

Reviewed paycheck protection program spending relative to March Job Losses. This program is not reaching one of the major industries in Falmouth.

Program Summary: This would be a revolving loan fund to provide low interest loans to small businesses, usually with less than 3 employees. \$2 million from lender, security is current and future income from the EDIC, typical loan \$30-50,000, underwriting and administration would be by the fund's lending partner. Oversight provided by the Falmouth Fund Advisory Board and an annual independent audit of the fund. Application lottery and then after rolling applications. Pre application assistance, lending partners' staff assist applicants prior to the deadline. Marketing and research through social media, newspaper ads, and press releases. They want to ensure all have the opportunity.

Fund replenished with repayment and relaned to new borrowers. Business recovery and growth will help stabilize the Town.

Mike Kasparian finds this a tremendous opportunity. The need is huge, much feedback about the PPP program, which is not appropriate for every small business. This program designed for those businesses who were left behind. These loans underwritten by their loan partner, vigorous approval to ensure safe and secure. This could mean the survival of small businesses, of the 600 Chamber members, majority are 1-3 employees and this money could go a long way to help them keep going and neighbors employed.

Michael DiGiano reviewed the projected operating budget with the Recovery Loan Fund. Sources of income are Falmouth Depot rent and lease projects for solar array. They pay for staff, accounting, and auditing fees. If they are able to use all the lease income from the solar developer for both projects, use that

to arrange for the loan pool funds, the EDIC will still dip into its reserves because income from second project does not kick in until 2021. They can run the program in an operating deficit which can be covered through reserves. This shows why they are asking the Town to provide a good deal on the landfill so the solar income revenue can be used to set up this loan program along with the resources the EDIC has available. They have provided responses to the Town's questions, including previous loans done, and local counsel opinion the EDIC has the authority to undertake this program. They look forward to working with Town administration to provide answers to some additional questions posed by counsel. The EDIC will get \$80,000 in reimbursement from Citizens Energy, the recurring revenue from Citizens Energy to the EDIC ground lease payment: half of the payments go to the EDIC, half to the Town.

Information was received from the EDIC, analysis conducted by Finance Director Jennifer Mullen, Attorney Frank Duffy, and others. Atty. Duffy continues to have questions regarding this program. Ms. Mullen received input from bond counsel.

Atty. Duffy made the following remarks. There is no dispute of the necessity for this and it is for a commendable purpose, though it raised questions. Atty. Duffy looked at legal authority of the Town and EDIC to undertake the recovery loan program, involves public funds so it is essential all legal requirements be followed. He looked at 2 issues: 1. Whether the EDIC has the authority to create and administer and 2. Whether the BOS has authority to use Town funds for this program. The Town is looking to resolve these questions. This is a request of the Town, the EDIC and Town are legally independent. They operate separate. The EDIC has provided information regarding a similar program in 2012, Atty. Duffy reviewed all documents they provided, the 2012 loan program is not similar and not a model for the program proposed today; the Town was not involved in the 2012 loan program. The EDIC possesses only the powers the statute gives it, loans for economic development project approved by Town Meeting. This needs to be done to make sure there is a proper framework.

Chair English Braga asked if it would that be a different scenario because renegotiating a lease and not allocating the money in a different way.

Atty. Duffy said Phase 1 is done. Phase 2 is not done yet, so there is some latitude in Phase 2, not the same latitude in Phase 1. Taking a stream of revenue delegated to the Town by Town Meeting may be an appropriation that requires a Town Meeting vote. The Enabling Act has a section in it that allows the EDIC to loan money, but not unsecured loans. Statute provision that loans must be in a defined economic development area, which has not been identified by a Town Meeting Vote. These questions need to be answered. Authority of the Town to enter into this project: does the BOS have authority to commit public funds to this program? The Town may not appropriate any money inconsistent with general laws. This issue has come up in other communities. The MA DOR said a special act of the legislature may be necessary. The MA Constitution permits public funding of private interest, may need special act. Atty. Duffy suggested the special act include specific authority to the EDIC to enter into the recovery loan program. Reallotment of rent is an expenditure of public funds and subject to Town Meeting appropriation. Atty. Duffy cannot give assurance that we can go forward, there are issues that need to be looked at further, look at proposed loan documents, and at least 3 Town Meeting votes: the EDIC is an established program, need a special act, and then appropriate money. He reached out to the DOR via phone and email, but has not heard and will continue to pursue that.

Jennifer Mullen, Finance Director, worked with Atty. Duffy and got opinion from Bond counsel who concurs with Atty. Duffy's comments. Conversation was had with State Auditors, they suggested getting a determination and have the DOR weigh in. Part of Atty. Duffy's comments was from the DOR regarding ruling another Town was looking to do something similar and that was special legislation. She asked whether the Town wants to commit future revenues for this purpose with competing revenue stream for basic Town functions? Another entity would need to audit this program. Our auditors said that the Town may want to stay away from this because of internal control. The EDIC is a component unit on our financial statement, her concern is liability particularly if a member of the BOS is on the advisory committee. Also concerning is control of how to allocate money through this fund, what is the criteria, who will monitor it, making sure payments are received on time. Part of Atty. Duffy's comment was the DOR's comment to another community trying to do same thing, some of the issue is unsecured loans. The Town cannot borrow money to give money to someone else, have to have an asset for that.

Chair English Braga's understanding is that the money they are giving is for debt service of funds they are going through the bank with.

Michael Galasso noted this is proposed as partnership with EDIC and lending partner, applications through the EDIC for review, pass them to lending partner for underwriting like they would any loan, and then the bank would decide whether they want to loan the money for that purpose. Eligibility requirements could be determined, he passed along a small business loan application with criteria the Small Business Administration (SBA) uses. Looking for cashflow from the landfill to support the initial \$2 million they want to borrow and then lend out. The EDIC will do whatever they can to work through these issues so they can put the program together and get the money out to those who need it. He has advised local representatives of their idea. The amount of the program may be reduced, if the path best to do it is with Phase 2 and not Phase 1.

Mr. Brown asked whether modifying the Phase 2 lease agreement- would be enough.

Michael DiGiano noted budget projections he showed assumed retaining all rent from the developer, still running deficit of \$35,000 a year. If they did not have the \$35,000 from Phase 1, they would be cutting it close. Maybe a separate intergovernmental agreement for Phase 2. They would have to take a look at it.

Mr. Jones noted \$2 million changed to \$1.5 then it could work with just Phase 2 without the complications of Phase 1 into it.

According to Atty. Duffy if Phase 1 is removed and just let the BOS negotiate Phase 2 it may simplify it. The intergovernmental agreement is a function of the BOS. They need to be authorized to enter into the lease, which is already on record as a vote.

Chair English Braga explained the process of drafting the second phase IGA, the EDIC would be the first drafters of it and send to the BOS for review.

Ms. Moran said when talking about the EDIC and all businesses considered in Falmouth, there will not be a need for scope. She likes the idea of trying to do something in a timeframe that does not have to wait for Town Meeting votes, the whole point is to work together to be sure Falmouth is in the best position possible to survive this pandemic.

Chair English Braga feels this is a relatively small amount of money the Town may not have, the potential numbers for what the businesses bring to Town. We have recipe for good turnout for this program, folks can apply for the federal program and fulfill the terms of the grant, they will go there and make use of it. This is for folks who cannot make use of those funds. She likes looking at second phase only, it is unknown when Town Meeting will happen, and it may be too late for a lot of businesses.

Mr. Patterson noted the EDIC developed the Technology Park, is there any property left to collateralize a loan to then loan that money out to small businesses.

Mike Galasso said the Town owns a water tank on property EDIC owns, maybe the Town would like to buy that from them. They have some properties, not great, some are landlocked and can look at that. They have long term ground lease with DOT for about 97 more years where the station is that includes 2 acres of vacant land.

The EDIC has ability to draft a lease agreement that the BOS can then review and negotiate.

Mr. Jones asked about an advisory board and whether the BOS member should be on it and sunset clause; what happens to funds if they vote not to have it anymore?

Chair English Braga considered what would be in the agreement if EDIC backing falls through and addressing when its sunsets and what do those terms look like. The EDIC should include this in a draft agreement to the BOS.

Michael DiGiano said the EDIC would draft the IGA and Phase 2 project is time sensitive, there are two other documents including Power purchase agreement for Phase 2 that the Town executes with Citizens and sublease agreement with Citizens on Phase 2 which the Town reviews because it is referenced in the IGA. He points this out because it is important for Citizens to start construction on Phase 2 in the Fall, so it is

important to move this along in a timely manner. Those 2 documents are independent of the IGA. Helpful for EDIC to know there was a desire to go forward with this plan.

Mr. Brown motion to request the EDIC to develop a new Intergovernmental Agreement with minimal payment schedule to facilitate this program and nominal rent for the duration of this loan program. Second Mr. Jones. Roll Call Vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Ms. Moran, aye; Mr. Jones; aye.

Chair English Braga directed the EDIC to submit the IGA draft considering the issues heard tonight recognizing the direct connection of the waiver of rental fees with the lending program. Drafting of the agreement to be done in tandem with working with the Town Counsel and staff.

Mr. Jones said that the EDIC was seeking before this loan program idea.

Deb Maguire is pleased with the thoughtfulness going into this, this is a tough time for business and loss of revenues will be felt in the next year's fiscal budget. She hopes this can be expedited.

Shawn Daley appreciates the proposal of this program, this year it will be tough for him, clients have cancelled, some have rescheduled, and opened new gourmet business recently. This is crucial to him and other business owners in Town. He is looking through getting through the winter of 2021 and into the next season, the road construction has also affected businesses and hopes to have Main Street work done before the reopening of Main Street and influx of second homeowners.

Scott Ghelfi noted Main Street has been thriving because of all of the great restaurants, he got the PPP and is making a go of it with take out, drive ups, and shipping. Some restaurants are unable to open. When they are opened up, they will be at a certain percentage of capacity. People before this were gearing up for spring and have stock that has not been able to turn over.

Mr. Jones suggested a future agenda item be considering what can be done for restaurants limited by inside space in future and how to get them to operate more than 25% capacity.

Chair English Braga noted retail stores have been shuttered with no business at all and area really hurting as well.

Mr. Jones motion to adjourn at 8:55 pm. Second Mr. Patterson. Roll Call Vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Ms. Moran, aye; Mr. Jones; aye.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
Open Session
MONDAY, MAY 11, 2020
SELECTMEN'S MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the May 11, 2020 public meeting of the Falmouth Board of Selectmen shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. *The meeting will be televised via Falmouth Community Television.*
2. *Real-time public comment can be addressed to the Board of Selectmen utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.*
 - a. *Zoom Login instructions:*
 - i. *Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthmass.us/BOS>.*
 - ii. *Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.*
3. *Additionally public comments may be sent in advance of the meeting to selectmen@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.*
4. *Applicants, their representatives and individuals with enforcement matters before the Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Board may contact the Town Manager/Board of Selectmen's Office to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Town Manager's Office at townmanager@falmouthma.gov so they may be displayed for remote public access viewing.*

Present: Megan English Braga, Chair; Doug Brown, Vice Chair; Doug Jones; Susan Moran; Sam Patterson.

Others present Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Attorney Frank Duffy, Town Counsel.

1. Call to Order by Chair English Braga at 7 pm.
2. Pledge of Allegiance
3. Recognition
Mr. Brown recognized the medical community and Cape Cod Healthcare and all they have done during this pandemic including the COVID-19 testing site and Royal Nursing Home set up for COVID-19 patients.
4. Announcements
May 19 is election day, both Special Election and Town Election. Contact the Town Clerk's Office via phone to request an early voting ballot, mail in by 5/16/20. Polls will be open; 6 people will be allowed in at a time. About 5,000 registered voters in Town have taken advantage of early voting. The Clerk's office is looking for poll workers on election day.

Mr. Brown reminded people to be aware of their surroundings and have a face mask on their person in case they are in a situation where they need to wear it.

5. Public Comment

Chair English Braga noted that the BOS received a letter from John Turner, who noted various reasons not to wear face masks in public, outside, and in the sun. Felt it was something he could not support.

SUMMARY OF ACTIONS

1. Licenses

- a. Application for Multiple Amendments of an All Alcoholic Restaurant License - Change of Manager/Change of Officers – Landfall Restaurant, 9 Luscombe Avenue, Woods Hole

Attorney Christopher Lebherz and Jim Estes present. About a month ago they sought and were given approval by the BOS, the documents went to the ABCC, they found out the corporate records needed to be updated, so the filings needed to be amended. The officers of the corporation are James Estes, President; his niece Kathleen Estes, Vice President; and his wife, Jean Estes, Secretary.

Mr. Patterson motion approval. Second Mr. Brown. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

2. Administrative Orders

- a. Approve Eversource Petition for the Installation of One (1) 4” Conduit at Acapesket Road, North of Garry Avenue. The proposed location is required for sustaining and protecting fixtures in, under, along and across the public way.

Mr. Jones motion approval. Second Mr. Patterson. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

- b. Approve payment from the Falmouth Fire Rescue Department Donation Account in the Amount of \$730.72 for the Purchase of Grave Markers and Flags for Memorial Day

Mr. Jones motion approval. Second Mr. Patterson. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

- c. Approve Expenditure of AFCEE Funds in the amount of \$79,445 for Phase I of the Mill Pond Restoration Project

Mr. Brown made a slide presentation regarding challenges of harvesting. Recommendations for remediation by UMASS included considering aeration and hire professional the first year. Aeration, then harvesting of the excessive vegetation as much as possible. Doing this work by hand is not practical, which is why they want to hire a professional to do the weed removal, aeration, and doing the monitoring. This is to fully fund this one year. When the weeds are not harvested, the odor is in the neighborhood. This is a man-made pond and the water quality may improve.

AFCEE Funds are from the Air Force Center for Environmental Education Fund and was put together for future water quality improvements in East Falmouth, there is still about \$1million in the fund. Water Quality Management Committee is on board with this plan.

This was a citizen motivated and concerned project, it is a grassroots experiment and if it works well it may be used more.

Mr. Brown recused himself from the vote.

Mr. Jones motion approval. Second Mr. Patterson. Roll call vote: Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye. Abstention: Mr. Brown.

1. Application to Amend Underground Storage Tank (UST) License – Hatem Enterprises Nye Road, LLC, 607 Main Street, Falmouth, MA (Parcel ID # 47B 05 040 000)

Chair English Braga read the hearing notice.

Ms. Carolyn Parker said this is correcting the license to read appropriately what is there. Last license issued in 2000, Motiva Enterprises owned the property, when sold it already had diesel in the ground. This was found because fire suppression is no longer UL listed, it needs to be replaced. To do so paperwork and license needs to go to the State Fire Marshall. The license goes with the landowner.

There was a 550 tank waste oil and another tank for fuel oil, when it was a service center, once a convenience store the tanks were removed and are no longer in the ground.

Public Comment: none.

Mr. Jones motion to close the hearing. Second Mr. Patterson. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

Mr. Jones motion approval. Second Mr. Patterson. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

BUSINESS

1. Falmouth Farmer's Market – Request for Waiver of Event Permit Fee and Presentation of New Plan

Lindsey Close requested a waiver of the permit fee. This is similar to what she was asking for last year, the Farmers' Market usually pays a small fee and an in kind contribution of taking care of the harbormaster's garden.

Mr. Jones motion approval of waiving the permit fee and grant the same as has been granted in past years; fee of \$200 and \$500 in kind contribution of caring for the garden. Second Mr. Patterson. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

Presentation of New Plan: this event was not cancelled because it essential because it is selling of food and an industry considered essential. This is an event happening every Thursday that can be modified with the guidance from the State.

Ms. Close proposed setting up vendors in a straight line on Scranton Avenue with 10 foot spacing between each vendor tent. Fewer vendors, about 5 less, but will be manageable. Hand sanitizer station and hand washing station, signage to remind attendees to wear a face mask, vendors will wear gloves and masks, spacing markers with chalk spray paint so people will wait 6 feet out, prepackaging and prepricing what they can for a quick transaction. Message to the community will be to come in come, shop, leave. Strongly recommending credit cards, apple pay, venmo, and other similar payment types. Advising vendors to round up or down to a whole dollar amount. If someone pays in cash, that cash can be quarantined. SNAP program participants may shop and there is a match bonus program, example when you spend an amount on your SNAP card, you get a bonus match to shop with. In the past they have used wooden tokens for that bonus, this year they will use a one time paper system that the customer can put the paper in the container without the vendor touching it, the Farmers' Market organizers will take the paper, quarantine for a couple days, and pay out vendors at the beginning of the next market. They have farmers that participate in the Healthy Incentives program, if you buy from a participating farmer, that amount is returned back to your card.

Mr. Suso noted that the restrooms at the MES building are intended for the public and they are exploring working with private entity that will sanitize those restrooms to keep them clean and welcome the public to use them.

Scott McGann, Health Agent, said restrooms are not required, but is required of the food handler. Need to have them open, they will have them open and increase cleaning. The plan Ms. Moran put forward was acceptable.

2. Discussion/Update on COVID-19 Issues

Scott reported that 148 confirmed cases, about 80% are out of isolation. About 10 people at the long term care facilities, testing was done. About a dozen general population active cases. What we are doing is working. Working on planning to open, working with other Communities' Health Agents for how the various businesses will open, including restaurants, beaches, rentals, and those plans are developing. As we come back together, the cases may increase, the cases now are going down slowly in the State. Asymptomatic cases are difficult.

Ms. Moran noted the Governor's announcement of the broad framework, the group is working on that, but it is just beginning.

Chair English Braga said Mr. Suso will gather individuals together including Mr. McGann, Mike Kasparian, Zoning, and Planning to look at thoughts about ideas moving forward for area businesses, including regulatory hurdles. They hope for further guidance on 5/18/20 from the Governor. Mr. McGann noted the guidance will need to be tailored to the Town's needs.

Mr. Suso said they also have staff members involved in the regulatory processes working with Town Counsel and others. When given firm direction from Governor Baker, they will be able to lay out the options available to the Town.

Mr. McGann noted that they will issue some permits, some will open and will not be held up to go through a series of inspections, but they will be done in relatively quick order.

Mr. McGann received calls about establishments not enforcing mask use, he has followed up with the establishments but that is tapering off.

Chair English Braga asked Mr. McGann if he had input regarding opening of the beaches. Mr. McGann said that being outside is about the least risky it gets and having outdoor activities is important. Small groups, outside, may need to work on beaches individually and he supports it, considering infection rate being so low.

3. Action to Consider Naming Crosswalk the "Tommy Leonard Walkway"

Tom Walwrath present and explained there is a one year wait period between the request and the BOS final vote. Timeline was 5/7/20 as decided by the BOS. The BOS has a copy of the sign. DPW has the sign and it is ready to install. They had some ideas of doing something virtually, have it done in conjunction with the stone unveiling. They do not know when at this time, originally it was 5/22/20, but they will be ready to go when conditions allow. People would like to be present, but with the current guidance, precludes a group of people at the unveiling. He will discuss the idea of installing and covering the sign and monument with something until they can do the unveiling with a group of people. He will talk with his committee and follow up with the BOS.

The BOS provided some ideas including a short film, newspaper article, and asking the Road Race to include a video tribute of a couple of minutes.

Mr. Jones motion approval. Second Mr. Patterson. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye.

Mr. Suso noted the installation of the monument was approved at a past meeting, the site has already been marked.

4. Update on Proposed Recovery Loan Program

Mr. Suso explained that in the packet is a memo from Atty. Duffy with additional information and his research and analysis. This is still a work in process.

Atty. Duffy contacted the MA DOR for their read on the situation, the DOR Division of Local Services reported their assessment of the program as presented needs to be squared with the relevant statute in order to go forward. The EDIC is creature of statute and a special purpose organization is limited to powers granted to it in the general laws. The vision was a redevelopment function, the powers relate to redevelopment, the purpose of the program. Atty. Duffy sent a memo to EDIC last Friday regarding recommended course of action. The EDIC board is reviewing and will get back to Atty. Duffy. Special legislation will solve the problem to establish and run the loan program, the second problem is the Town's contribution; MA Constitution prohibits public funds for private uses. Atty. Duffy will report back on what the legislatures input has been.

Ms. Moran noted Falmouth is in unique situation to be prepared for this level of assistance if the legislative work can be moved forward quick enough.

Joe Netto was reportedly concerned that this is something different than what Town Meeting had original built this for.

The BOS asked if the EDIC could do fundraising instead, but Atty. Duffy noted the problem is the EDIC getting involved in the first place, it is not part of the Enabling Act.

Regional banks are trying to provide loans to local businesses with lines of credit and long term loans to help some of the businesses. Local banks can do that, but the Recovery Loan Program as presented, takes public money to protect the banks in case there are losses in the future.

Mr. Suso and Atty. Duffy will continue conversations with EDIC and Finance Director Jennifer Mullen. The EDIC should explore the special legislation as suggested by Atty. Duffy.

5. Discussion of Town Meeting Article 14 (Override) – Hiring of 8 New Firefighters

PowerPoint presentation was made by Mr. Johnson-Staub of the override on the ballot for 5/19/20. Usually this would be vetted out at Town Meeting, but since that has been rescheduled, they would like to review tonight. Override is to increase the tax levy to hire 8 firefighters and covers their pay and benefits. Improve response to the Town and firefighter safety. Approval of the override requires a vote of Town Meeting to authorize the expenditures and approval of the voters at an election to authorize additional taxes for that purpose. The exact wording was read by Mr. Johnson-Staub. The ballot does not say it is an override because the State determines what wording is to be on the ballot and the Town followed that language. Town Meeting Article #15 was reviewed. Mr. Johnson-Staub explained why the Town needs 8 more firefighters and includes providing 2 additional firefighters for every shift, # calls nearly doubled over the past 20 years; implementing new requirement that every engine/ladder deployed must have at least 2 firefighters, improves effective response for the entire Town. On Town Meeting section of the Town website there is a more detailed fact sheet on Article 14. An example of the cost was offered, it would be \$30.24 per year permanently assessed, on a home with an assessed value of \$378,000.

Ms. Mullen noted the ballot wording could be confusing, override language is not used on the ballot.

Ms. Moran has had questions including given COVID, can the Town afford it? What other financial difficulties does the Town anticipate? Request for an update on Safer Loans.

Ms. Mullen said that it is an override specific for 8 firefighters, it does not change anything else. Maybe not putting money into reserves next year. Taxpayers will need to answer the question of whether they want to pay that additional \$30.24. Safer grants are funded at 75% the first year, by the third year 35. The uncertainty we face is it is difficult to fund fully 8 new firefighters and the Town would not be able to put 8 new positions in the budget in one year. When there are open positions, need to fill those first before using the Safer Grant money and there is a time period related to the Safer Grant. Binding the Town to future budget increase in future years when the budget is uncertain.

Mr. Jones noted \$30.24 per year would go in effect in a different year given the fire academy is closed. Ms. Mullen explained that the override is the revenue source, taxes would be raised for the full 2021 fiscal year. If the full appropriation is not spent, it will go back to free cash. It would be an unspent budget item.

Finance Committee concern about the Safer Grant is that you do not fund long term positions with grants because there is no guarantee those monies are there and as the funding sources change from year to year, the Town does not control that. If you commit and do that with the Safer Grant, it will stop, and the Town will need to incorporate 8 firefighters into the budget.

According to Mr. Johnson-Staub, the grant is only a percentage of the cost and it is temporary funding for a permanent cost and is something we cannot risk how we are going to pay for that.

The information sheet is on the Town website and was transmitted to all Town Meeting Members who they have an email address for.

If the Town votes for it, it will go to Town Meeting.

If positive vote at election and then Town Meeting votes positively, you are all set. If negative result at election, the Town Meeting article will not be moved.

6. Discussion of Potential Regional Approaches to Upcoming Summer Beach Operations

Goal for tonight is to talk about some of the thoughts, concerns, and challenges we will have. Conversation is to continue with Committees and staff. There will be a future BOS vote.

Mr. Suso said this has been reviewed internally and extraordinary amount of staff expertise in managing beaches and will make full use of that in drafting an expanded beach operation and municipal parking plan. Likely to be rolled out collaboratively in close parallel with other Cape Cod Communities. Awaiting direction from Gov. Baker and confident that a plan will be released on 5/18/20 and anticipated to include suggestions/guidelines for managing beaches, public use and parking areas. Anticipate opening up Town's municipal parking areas.

Ms. Moran said there is special counsel regarding a Cape Cod view of all these issues. Many communities are circulating draft guidelines to be prepared for the Governor's guidelines. COVID adds a challenge to planning staffing and other considerations. At the next meeting it would be informative to have the Chief of FPD present for his opinion.

Mr. Suso said planning is going forward for hiring summer beach staff and will fine tune details pending guidance by the Governor. Seasonal employees return yearly and have great amount of experience, which lowers the learning curve.

According to Chair English Braga, it would be helpful to think about different times of the day at the beaches and how we may do something different. May have different plan in place at the beaches and need to look at each independently. The Beach Department is well situated with staffing, many are ready to get to work.

Mr. Brown suggested extending the hours to monitor parking and have seasonal officers at the beaches. Some residents would like to have resident only and not allowing general public to pay cash to get in. Mr. Brown likes the idea of the staff staying later for sunset time and having a police officer there.

Chair English Braga hopes people keep in mind the beaches bring much revenue, including day parking and week long permits. We have a lot of information at our disposal to think about how to craft something. She would like to ask the Town Manager to put together a meeting including Beach Department, Chief of FPD, DPW, BOS, and the Health Agent to do that problem solving and deeper conversation to have something to propose to the BOS. Maybe Mike Kasparian could be voice of the summer folks and accommodations. Goal would be to have information for the June 1 BOS meeting.

7. Individual Selectmen's Reports

Mr. Brown:

Attended the White Ribbon Zoom Meeting to get the word out about domestic violence, need is greater than ever. The past year there were 1700 Falmouth residents called Independence House.

8. Town Manager's Report

The water main replacement project moving ahead swiftly, target to bring to closure by month's end and additional phase in the Fall. We are one season ahead on this project.

Peter McConarty is moving forward the Queens Buyway Road reconstruction project, the granite section is in place and attractive improvement into downtown.

The next BOS meeting is 5/18/20.

The work that remains is in the Route 28 State portion and MA DOT does not work in that area after Memorial Day. Mr. Suso can explore that option of requesting the work be extended past Memorial Day given the current guidance and decreased traffic.

Mr. Jones motion to adjourn at approximately 9:15 pm. Second Ms. Moran. Roll call vote: Mr. Brown, aye; Chair English Braga, aye; Mr. Jones, aye; Ms. Moran, aye. Absent: Mr. Patterson.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso



DATE: May 15, 2020

- Selectmen will see a bit of a new “twist” for Monday evening’s Zoom teleconference, as we will convene at 6:30PM for a brief executive session prior to your 7PM regular virtual meeting. As in the past, please plan to join us 15 minutes early to ensure that all are on-line and operational.
- The Board of Health will be having a Zoom virtual meeting beginning at 5PM on Monday. Their meeting is anticipated to be concluded prior to the beginning of Selectmen’s regular meeting at 7PM. Their meeting will include a catch-up on some housekeeping items (septic issues, variances) and also an update from Scott McGann on COVID-19.
- Scott McGann will also join us once again for our scheduled status update on COVID-19 issues.
- We are also scheduled to discuss the planned issuance of the Report from the Governor’s Reopening Advisory Board, as that Report is due to be released on Monday along with an anticipated extension (in some form) of the Governor’s current Emergency Order(s). Our ongoing internal work in preparation involving multiple areas of municipal services during the coming summer season continues. As requested, we have a meeting set for the coming week for an expanded discussion/preparedness with several interested parties on the matter of beaches and beach parking areas.
- We will update/discuss the potential for modified restaurant seating plans, which has been an important topic in anticipation of reopening. As the Board had requested at your meeting last week, we have held a follow-up meeting with multiple designated participants in further reviewing and discussing the challenging zoning/legal issues in proposals for creatively treating the restaurant seating and outdoor expansion issue.
- Michael Palmer confirms that all is moving forward in anticipation of next Tuesday’s upcoming municipal and State elections. My compliments to Michael and his extraordinary staff for their exceptional, diligent work in preparing for this May 19 election under difficult circumstances. We are pleased to continue our work in supporting and assisting.
- Town Hall and administrative offices are closed on Monday, May 25 for the Memorial Day Holiday.
- Good weekend. Stay safe.